

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES, et al.,

No. C-09-2973 MMC

Plaintiffs,

**ORDER DISCHARGING ORDER TO  
SHOW CAUSE; SETTING CASE  
MANAGEMENT CONFERENCE**

v.

CLEMENTINE RESTAURANT LLC, et al.,

Defendants

Before the Court is plaintiffs' response, filed January 8, 2010, to the Court's order directing plaintiffs to show cause why the above-titled action should not be dismissed for failure to prosecute.<sup>1</sup>

Having read and considered plaintiffs' response, the Court finds plaintiffs have not failed to prosecute the instant matter, and, accordingly, hereby DISCHARGES the order to show cause.

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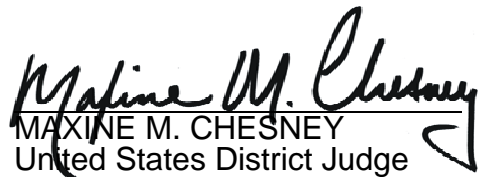
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<sup>1</sup>Plaintiffs did not provide the Court with a chambers copy of their response. For future reference, plaintiffs are reminded of the following provision in the Court's Standing Orders: "In all cases that have been assigned to the Electronic Case Filing Program, the parties are required to provide for use in chambers one paper copy of each document that is filed electronically. The paper copy of each such document shall be delivered no later than noon on the day after the document is filed electronically. The paper copy shall be marked 'Chambers Copy' and shall be delivered to the Clerk's Office in an envelope clearly marked with the judge's name, case number, and 'E-Filing Chambers Copy.'"

1 Plaintiffs also request the Court schedule a Case Management Conference to be  
2 conducted within ninety days. Good cause appearing therefor, plaintiffs' request is hereby  
3 GRANTED, and a Case Management Conference is hereby scheduled for April 9, 2010. A  
4 Joint Case Management Statement shall be filed no later than April 2, 2010.

5 **IT IS SO ORDERED.**

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7 Dated: January 14, 2010

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MAXINE M. CHESNEY  
United States District Judge